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of the United Nations
Environment Programme

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Fifth special session
Nairobi, 20-22 May 1998

# ANNOTATED PROVISIONAL AGENDA

## Item 1. Opening of the session

1. The fifth special session of the Governing Council will be opened by the President of the Council at its nineteenth session or, in his absence, by one of the other officers of the Council at its nineteenth session.

## Item 2. Organization of the session

(a) Adoption of the agenda

2. The provisional agenda for the fifth special session, containing the elements as agreed by the nineteenth session, was distributed on 24 April 1998 as document UNEP/GCSS.V/1. The Executive Director recommends the adoption of the agenda with the sub-items as proposed in document UNEP/GCSS.V/1/Add.1.

(b) Organization of the work of the session

3. The organization of work of the fifth special session, including documentation for discussion, as proposed by the Executive Director, is contained in the annex to the present document.

4. The Executive Director recommends that the fifth special session of the Governing Council deal with the items of the provisional agenda in plenary meetings: item 1 (Opening of the session); item 2 (Organization of the session); item 3 (Credentials of representatives); item 4 (Confirmation of the members of the High-level Committee of Ministers and Officials); item 5 (Evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22; item 6 (Review of the results and

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decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting); item 7 (Adoption of the report); and item 8 (Closure of the session).

5. In addition to the plenary meetings, the Executive Director recommends the establishment of a drafting group to prepare the draft decisions to be adopted by the fifth special session.

6. The fifth special session of the Governing Council will be convened on Wednesday, 20 May 1998, at 10 a.m. in plenary. The officers of the nineteenth session of the Governing Council will preside over the session. There will also be an opportunity formally to adopt the agenda and the organization of work of the session. Finally, during this opening plenary session, the Executive Director will present his statement (UNEP/GCSS.V/2).

7. The Executive Director is suggesting that, immediately after the formal opening of the plenary session, the Council will reconvene in plenary for the remainder of Wednesday, 20 May, and address item 4 (Confirmation of the members of the High-level Committee of Ministers and Officials), in particular, and item 5 (Evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22.

8. On Thursday, 21 May, it is proposed that the Council conclude its discussion of items 5 (Evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22), and then take consideration of item 6 (Review of the results and decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting). The Executive Director will bring to the attention of the fifth special session matters to be dealt with by the Governing Council prior to the convening of its twentieth session at Nairobi from 24 to 28 May 1999.

9. Immediately following the last plenary session on Thursday, 21 May, the Executive Director proposes that the Drafting Group meet to consider the draft decisions of the fifth special session.

10. On Friday, 22 May, the Council would begin with item 3 (Credentials of representatives) and then focus on the consideration and adoption of draft decisions emanating from items 4, 5 and 6, as presented by the Drafting Group. The afternoon plenary meeting the fifth special session would then proceed to the adoption of its report (item 7) and the closure of the session (item 8).

| DOCUMENTATION | |
|---|---|
| UNEP/GCSS.V/1 | Provisional Agenda |
| UNEP/GCSS.V/1/Add.1 | Annotated provisional agenda and organization of work |
| UNEP/GCSS.V/2 | Statement of the Executive Director to the fifth special session of the Governing Council |

Item 3. Credentials of representatives

11. In accordance with rule 17 of the rules of procedure, the credentials of representatives at the fifth special session of the Council will be examined by the Bureau, which will report thereon to the Council. It should be noted that, under rule 16, each member of the Council is to be represented by one accredited representative, who may be accompanied by such alternate representatives and advisers as may be required.

Item 4. Confirmation of the members of the High-level Committee of Ministers and Officials

12. The Council will have before it the report of the Executive Director on the confirmation of the members to the High-level Committee of Ministers and Officials.

13. The fifth special session of the Governing Council will formally confirm as elected the nominations of the members of the High-level Committee of Ministers and Officials (UNEP/HLC/2/INF/6) as called for in operative paragraph 2 (c) of the other decisions on the constitution of the High-level Committee of Ministers and Officials established pursuant to decision 19/32 of the decision on the constitution of the High-level Committee of Ministers and Officials established pursuant to decision 19/32.

| DOCUMENTATION | |
|---|---|
| UNEP/GCSS.V/3 | Report of the Executive Director on the nomination of the members of the High-level Committee of Ministers and Officials |
| UNEP/HLC/2/6 | Report of the High-level Committee of Ministers and Officials on the work of its second meeting |
| UNEP/HLC/2/INF/6 and Corr.1 | List of nominees of the High-level Committee of Ministers and Officials |

Item 5. Evaluation of the management and administrative support of the United Nations Environment Programme, as requested by the Governing Council in parts II and III of decision 19/22

14. The fifth special session of the Council will also have before it the report of the Executive Director on the evaluation on the studies called for by the Governing Council in parts II and III of decision 19/22. In close cooperation with the Committee of Permanent Representatives, the terms of reference for these evaluations were substantially expanded. This study has resulted in a decision to be brought before the fifth special session of the Council including: the alignment of the approved 1998-1999 programme of work with the Nairobi Declaration; the role of the trust funds and counterpart contributions; the appropriateness of the 1998-1999 management and administrative support costs (MASC) budget appropriation; the roles and responsibilities of regional offices; and the United Nations Office at Nairobi. The Executive Director, in his capacity as the Director-General of the United Nations Office at Nairobi, will provide an oral presentation on the conference servicing capacity of the United Nations Office at Nairobi, accompanied by a practical demonstration. In addition, the Council will have before it the letter of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), dated 30 October 1997 (UNEP/GCSS.V/INF/3), commenting on the revised budgets for 1996-1997 and 1998-1999.

| | DOCUMENTATION |
|---|---|
| UNEP/GCSS.V/4 | Report of the Executive Director on the evaluation of the management and administrative support of the United Nations Environment Programme as requested in GC Decision 19/22 (II&III) |
| UNEP/GCSS.V/INF/3 | ACABQ letter of 30 October 1997 |

Item 6. Review of the results and decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting

15. The Council will hold a general discussion on the future of UNEP in the context of the reform process. The Council may wish to reflect the outcome of its deliberations in one or more decisions. The Council will have before it the statement of the Executive Director, which stresses the need for UNEP priorities to be presented in line with the Nairobi Declaration (UNEP/GCSS.V/2).

Item 6 (a). UNEP reform within the context of United Nations reform

16. As a basis for its discussion, the Council will have before it relevant sections of the Secretary-General's report,"Renewing the United Nations: A Programme for Reform" (A/51/950, dated 14 July 1997), and, when introducing this item, the Executive Director will give an oral briefing on developments

since the Secretary-General's recommendations as contained in paragraph 179 of his report, namely: " Action 12: The Secretary-General will, in consultation with Governments, the Executive Director of the United Nations Environment Programme and the Executive Director of the United Nations Centre for Human Settlements, develop new measures for strengthening and restructuring the two organizations, based on General Assembly resolution 2997(XXVII) and 32/162 and taking into account the decisions and recommendations of the Governing Council of UNEP and the Commission on Human Settlements, and will make recommendations to the General Assembly at its fifty-third session." In addition, the Council will have before it the report of the High-level Committee of Ministers and Officials on the work of its second meeting containing relevant conclusions on the reform and revitalization of UNEP in the content of United Nations reform. The Executive Director suggests that the conclusions of the High-level Committee of Ministers and Officials on the reform and revitalization of UNEP be considered by the Drafting Group, in conjunction with the report of the Executive Director on UNEP reform in the context of United Nations reform, presented to the second meeting of the High-level Committee of Ministers and Officials (UNEP/HLC/2/2 and Corr.1).

17. The fifth special session of the Governing Council will consider the progress made by UNEP on the United Nations reform measures and proposals.

Item 6 (b). Programme matters

18. The Executive Director will report on progress in the negotiations for an internationally legally binding instrument for the application of the prior informed consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade (UNEP/GCSS.V/5). The Council may wish to reflect on the outcome of its deliberations and consider the adoption of a decision as suggested in document UNEP/GCSS.V/5.

19. The fifth special session of the Council will have before it the conclusions of the High-level Committee of Ministers and Officials on freshwater (UNEP/HLC/2/6), the Executive Director will provide updated information on activities undertaken by UNEP on freshwater. The Executive Director suggests that the conclusions on freshwater of the High-level Committee of Ministers and Officials be considered by the Drafting Group and presented to the plenary for adoption, together with the draft decisions emanating from the other items of the agenda.

| | DOCUMENTATION |
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| UNEP/HLC/2/2 and Corr.1 | Report of the Executive Director on UNEP reform in the context of United Nations reform |
| UNEP/GCSS.V/2 | Statement of the Executive Director to the fifth special session of the Governing Council |
| UNEP/GCSS.V/5 | Report of the Executive Director on progress in negotiations for an international legally binding instrument for the application of the prior informed consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade |
| A/51/950 | Renewing the United Nations: A programme for Reform (paragraphs 170-179) |

Annex

PROPOSED PROVISIONAL TIMETABLE OF MEETINGS FOR THE FIFTH SPECIAL SESSION OF THE GOVERNING COUNCIL

WEDNESDAY 20 MAY 1998

PLENARY

10 a.m.

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| Item 1: | Opening of the session | |
| Item 2: | Organization of the session | |
| Item 2 (a): | Adoption of the agenda | |
| Item 2 (b): | Organization of the work of the session | |
| | UNEP/GCSS.V/1 | Provisional agenda |
| | UNEP/GCSS.V/1/Add.1 | Annotated provisional agenda and organization of work |
| | UNEP/GCSS.V/2 | Statement of the Executive Director to the fifth special session of the Governing Council |

11.30 a.m.

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| Item 4: | Confirmation of the members of the High-level Committee of Ministers and Officials | |
| | UNEP/GCSS.V/3 | Report of the Executive Director on the confirmation of the members of the High-level Committee of Ministers and Officials |
| | UNEP/HLC/2/6 | Report of the High-level Committee of Ministers and Officials on the work of its second meeting |
| | UNEP/HLC/2/INF/6 and Corr.1 | List of nominees of the High-level Committee of Ministers and Officials |

3 p.m.

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| Item 5: | Evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22 | |
| | UNEP/GCSS.V/4 | Report of the Executive Director on the evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22 |
| | UNEP/GCSS.V/INF/3 | ACABQ letter of 30 October 1997 |

THURSDAY 21 MAY 1998

PLENARY

9 a.m.

Item 5: Evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22 [continued]

Item 6: Review of the results and decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting

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| UNEP/GCSS.V/2 | Statement of the Executive Director to the fifth special session of the Governing Council |
| UNEP/GCSS.V/4 | Report of the Executive Director on the evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22 |
| UNEP/GCSS.V/INF/3 | ACABQ letter of 30 October 1997 |
| UNEP/HLC/2/2 and Corr.1 | Report of the Executive Director on UNEP reform in the context of United Nations reform |
| UNEP/GCSS.V/5 | Report of the Executive Director on progress in negotiations for an international legally binding instrument for the application of the prior informed consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade |

2-3.30 p.m.

PANEL: CHEMICALS: New prior informed consent (PIC) convention

3.30 p.m.

Item 6: Review of the results and decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting [continued]

Item 6 (a): UNEP reform within the context of United Nations reform

Item 6 (b): Programme matters

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| UNEP/HLC/2/2 and Corr.1 | Report of the Executive Director on UNEP reform in the context of United Nations reform |
| UNEP/GCSS.V/2 | Statement of the Executive Director to the fifth special session of the Governing Council |
| UNEP/GCSS.V/5 | Report of the Executive Director on the progress of Negotiations of an International Legally-binding Instrument for the application of the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade |
| A/51/950 | Renewing the United Nations: A programme for Reform (paragraphs 170-179) |

FRIDAY 22 MAY 1998

PLENARY

9 a.m.

Item 3: Credentials of representatives

Consideration of the decisions resulting from Items 4, 5 and 6:

Item 4: Confirmation of the members of the High-level Committee of Ministers and Officials

Item 5: Evaluation of the management and administrative support of the United Nations Environment Programme, as requested by the Governing Council in parts II and III of decision 19/22

Item 6: Review of the results and decisions of the special session of the General Assembly for the purpose of an overall review and appraisal of the implementation of Agenda 21 and the conclusions of the High-level Committee of Ministers and Officials at its second meeting

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| UNEP/GCSS.V/3 | Report of the Executive Director on the confirmation of the members of the High-level Committee of Ministers and Officials |
| UNEP/HLC/2/6 | Report of the High-level Committee of Ministers and Officials on the work of its second meeting |
| UNEP/GCSS.V/4 | Report of the Executive Director on the evaluation of the management and administrative support of the United Nations Environment Programme as requested by the Governing Council in parts II and III of decision 19/22 |
| UNEP/GCSS.V/INF/3 | ACABQ letter of 30 October 1997 |
| UNEP/HLC/2/2 and Corr.1 | Report of the Executive Director on UNEP reform in the context of United Nations reform |
| UNEP/GCSS.V/5 | Report of the Executive Director on progress in negotiations for an international legally binding etc. Negotiations of an International Legally-binding Instrument for the application of the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade |

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| 2-3.30 p.m. |
| PANEL: Use of economic instruments for sustainable development |

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| 3.30 p.m. |
| Item 7: Adoption of the report |
| Item 8: Closure of the session |

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